

FACTSHEET

TITLE: PRELIMINARY PLAT NO. 05009, WEST HOBELMAN
ADDITION, requested by Engineering Design Consultants on behalf of Lincoln North Creek, LLC, to develop eight commercial and industrial lots, on property generally located at Southwest 14th Place and West "O" Street.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 06/08/05 and 06/22/05
Administrative Action: 06/22/05

STAFF RECOMMENDATION: Conditional Approval, as revised.

RECOMMENDATION: Conditional Approval (8-1: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Esseks and Bills-Strand voting 'yes'; Pearson voting 'no').

FINDINGS OF FACT:

1. This is a request to plat 9.79 acres into eight lots under the existing H-3 and I-1 zoning.
2. The applicant has requested the following waivers:
 - To allow sanitary sewer to run opposite street grade;
 - To eliminate on-site detention;
 - To construct sanitary sewer on the east side of SW 14th Place;
 - To construct water on the west side of SW 14th Place; and
 - To eliminate street access to adjoining property.

A waiver to allow sanitary sewer depth to exceed 15 feet was withdrawn by the applicant at the public hearing before the Planning Commission.
3. The staff recommendation of conditional approval, as revised, is based upon the "Analysis" as set forth on p.4-6, concluding that the proposed plat generally conforms to the Comprehensive Plan and the Zoning and Subdivision Ordinances, provided additional access is shown to facilitate development of adjacent properties. The requested waivers are acceptable, with conditions, except for the sewer depth (which waiver was withdrawn).
4. The applicant's testimony is found on p.8-9, including a request to delete Condition #1.1.1, which requires that the applicant show a paved public access easement providing access to the adjoining parcels to the east and west. The applicant explained that the purpose of deleting this access easement is because of the existence of natural and manmade features (See Minutes, p.9).
5. There was no testimony in opposition.
6. The staff is opposed to the deletion of the access easement, Condition #1.1.1 (See Minutes, p.9-10).
7. On June 22, 2005, the majority of the Planning Commission agreed with the staff recommendation and voted 8-1 to recommend conditional approval, as set forth in the staff report dated June 10, 2005, with amendment deleting Condition #1.1.1, as requested by the applicant (Pearson dissenting). See Minutes, p.10.
8. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.
9. Before scheduling this item for City Council, staff attempted to convene a meeting with the applicant and City staff to reach an agreement on the access easements requested by staff. The redevelopment plan for the West O Corridor that was recently approved by City Council emphasizes the need for improving cross-circulation between parcels and reducing the existing number of driveways. TIF funds could be used to assist with public improvements in this location toward meeting those goals. However, the applicant declined to meet with staff.
10. **Note:** This preliminary plat was in process at the time the Planning Commission was granted authority to approved preliminary plats. Therefore, the entire plat requires review and action by the City Council.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 21, 2005

REVIEWED BY: _____

DATE: November 21, 2005

REFERENCE NUMBER: FS\CC\2005\PP.05009

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for June 22, 2004 PLANNING COMMISSION MEETING

This is a revised report.

****As Revised and recommended for conditional approval
by Planning Commission**
June 22, 2005**

PROJECT #: Preliminary Plat #05009
West Hobelman Addition

PROPOSAL: Preliminary plat 8 commercial and industrial lots.

LOCATION: Southwest 14th Place and West "O" Street.

WAIVER REQUEST:

1. Allow sanitary sewer to run opposite street grade.
2. ~~Allow sanitary sewer depth to exceed 15 feet.~~ (****Waiver WITHDRAWN by applicant at the public hearing on June 22, 2005****)
3. Eliminate on-site detention.
4. Construct sanitary sewer on the east side of Sw 14th Place.
5. Construct water on the west side of SW 14th Place.
6. Eliminate the requirement to provide street access to adjoining property.

LAND AREA: 9.79 acres, more or less.

CONCLUSION: This plat generally conforms to the Comprehensive Plan, and Zoning and Subdivision Ordinances provided additional access is shown to facilitate development of adjacent properties. Requested waivers are acceptable with conditions, except for sewer depth.

RECOMMENDATION:

Conditional Approval

Waivers:

- | | |
|----------------------------------------------------------------------------------|----------------------|
| 1. Allow sanitary sewer to run opposite street grade. | Approval |
| 2. Allow sanitary sewer depth to exceed 15 feet. **WITHDRAWN** | Denial |
| 3. Eliminate on-site detention. | Conditional Approval |
| 4. Construct sanitary sewer on the east side of Sw 14 th Place. | Approval |
| 5. Construct water on the west side of SW 14 th Place. | Approval |
| 6. Eliminate street access to adjoining property. | Conditional Approval |

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1 and 2, West Hobelman Addition, located in the NE 1/4 Section 28 T10N R6E, Lancaster County, Nebraska. A metes and bounds description is attached.

EXISTING LAND USE AND ZONING:

Restaurant, Auto dealer	H-3 Highway Commercial
Vacant	I-1 Industrial

SURROUNDING LAND USE AND ZONING:

North:	Commercial	H-3 highway Commercial
South:	Railroad, vacant	I-1 industrial
East:	Auto dealer	H-3 Commercial
West:	Vacant	H-3 Commercial

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan identifies this area as Commercial and Industrial. (F 25)

Commercial: Areas of retail, office and service uses. Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, to warehouses, to more intensive uses such as gas stations, restaurants, grocery stores or automobile repair. Each area designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all the elements of the Comprehensive Plan. (F 22)

Industrial: Areas where railroads, manufacturing, trucking and transportation facilities are the dominant land use. Some commercial activities may also take place in predominantly industrial districts, such as office, retail, or warehouses. (F 22)

HISTORY:

Jun 2003 Final Plat #03006 West Hobelman Addition approved the subdivision of 2 irregular tracts into 2 lots.

May 1979 The zoning update changed the zoning on this property from H-2 Highway Commercial and K Light Industrial to H-3 Highway Commercial and I-1 Industrial.

UTILITIES: Public utilities are available in West "O" Street. Waivers have been requested to construct the utilities as shown on the plans.

TOPOGRAPHY: The site slopes gradually from north/northeast to south/southwest, with a drainage path following the west and south property lines.

TRAFFIC ANALYSIS: The 2025 Comprehensive Plan designates West "O" Street as a Principal Arterial, both now and in the future. (E 49, F 103) Neither the Comprehensive Plan nor the CIP identify any additional right-of-way needs or projects for this portion of West "O" Street. The final plat for these lots relinquished access to West "O" except for SW 14th Place; the existing driveway should be removed.

Principal Arterials: This functional class of street serves the major portion of through-traffic entering and leaving the urban area and is designed to carry the highest traffic volumes. These serve intra-area traffic such as between the CBD and outlying residential areas and traffic between major inner-city communities or suburban centers. Included in this class are fully controlled access facilities and partially controlled access facilities.

ENVIRONMENTAL CONCERNS: Portions of this plat are shown within the 100-year floodplain, and appear to include wetland areas. Applicant has requested a letter of Map Amendment from FEMA to change the limits of the 100-year floodplain and remove this plat from within its boundaries. Applicant has also asserted the potential wetlands on site will be officially mapped sometime before Winter, 2005.

Relative to Applicant's request to waive detention, the Public Works Department has identified concerns. A written agreement from the adjoining property owner must be provided demonstrating a conservation easement over the wetland area for storm water detention is acceptable. The area for detention must be identified on the drawings, and calculations must be provided demonstrating the proposed detention will function appropriately. Finally, a Section 404 permit may be necessary from the Army Corps of Engineers.

ANALYSIS:

1. This is a request to preliminary plat 9.79 acres into 8 lots. This property is currently zoned H-3 and I-1.
2. West "O" Street has a center turn lane, which provides full access to this site at SW 14th Place; additional access to West "O" Street has been relinquished and the existing driveway should be removed. At present, there is no median across this frontage. Although none are planned at this time, future improvements to West "O" Street may result in limitations on access at SW 14th Place.
3. The development of this property should provide access to adjoining properties on the east and west in order to facilitate the future development of those parcels and provide east/west circulation. The nearest traffic signal is located at West "O" and Capitol Beach Boulevard, approximately 380' east of this property.
4. Applicant proposes to waive the requirement that the street and alley layout provide access to adjoining properties. Instead, they propose to provide access to the east through a public access easement to be identified at the time of building permits. Providing access through a public easement is acceptable provided its location is shown on the drawings at this time rather than at the time of building permits. Should Applicant need to move the access easement at a later date, a note can be added allowing the location to change during the final plat process. This access should be paved.
5. Applicant proposes to provide no access to the west, due to existing wetlands proposed to be used for stormwater detention. However, there is developable land at the north end of this parcel that would benefit from access across this development and to the traffic signal at Capitol Beach Boulevard and West "O" Street. Applicant should provide access to the west in a manner similar to their proposal for access to the east.

6. City Department comments:

Public Works Engineering Services:

- 6.1 The requested waiver of design standards to construct sanitary sewer opposite street grade is satisfactory to Public Works. However, it does not appear that the requested waiver of design standards to construct sanitary sewer in excess of 15' is required. The plans show the sewer being constructed at a grade more than the minimum slope. If the plans are revised to show the sewer constructed at minimum grade the depth waiver is not necessary.
- 6.2 As discussed in meetings with the applicant, due to the proximity to existing structures, the waiver to construct sanitary sewer on the east side of the street and water main on the west is acceptable to Public Works.
- 6.3 ~~Public Works approves the use of public access easements instead of requiring public or private street to provide access to adjoining properties. However, Public Works does not agree with approving the public access easements at the time of building permits. A public access easement needs to be shown to the east and the west properties with a note generally stating that the locations of the public access easements may change with the approval of a final plat. (**On June 22, 2005, the Planning Commission deleted Condition #1.1.1 which required the paved public access easement**)~~
- 6.4 ~~Public Works does not agree with waiving the requirement to provide access to the property to the west. Approximately the north 200' of this lot is clear of wetlands and could be developed with a fill permit. Providing this public access could eventually give this property access to the traffic signal at Capital Beach Boulevard and West "O" Street. (**On June 22, 2005, the Planning Commission deleted Condition #1.1.1 which required paved public access easement**)~~
- 6.5 Public Works does not approve the requested waiver of design standards for storm water detention. G & C Addition and EDM Industrial Park have recently been approved in the vicinity of this project and both required detention. There does not appear to be any justification for waiving the detention requirement.
- 6.6 If detention is intended to be provided on the adjacent property to the west, a dedicated easement agreement along with supporting detention calculations will have to be provided to the satisfaction of Public Works prior to this project going to City Council. Also, if the proposed detention is to be located in the area of the wetlands written documentation of approval from the Army Corps of Engineers will need to be provided prior to City Council. If either the aforementioned easement agreement or the Corps approval is not obtained, the grading and drainage plan will need to be revised to show on-site detention in accordance with City of Lincoln Design Standards and the Drainage Criteria Manual.

Public Works Watershed Management:

- 6.7 Request to provide detention on adjacent property must be accompanied by written evidence of appropriate permanent agreement with adjacent property owner.
- 6.8 Request to provide detention on adjacent property must be accompanied by calculations to demonstrate that proposed detention will function to reduce flows to pre-development conditions as per Drainage Criteria Manual Chapters 2 and 6.
- 6.9 If wetland areas are to be impacted, then proposal must be reviewed by US Army Corp of Engineers and a 404 permit obtained if necessary.
- 6.10 Since the Letter of Map Amendment has not yet been approved by FEMA, all lots currently shown in the 100-year floodplain on the FEMA map will be required to adhere to lowest floor elevation requirements (as per Lincoln Municipal Code 27.52) rather than minimum opening elevation requirements. Change site specific notes to reflect this condition.

Parks and Recreation:

- 6.11 Developer/Engineer must contact the Forestry Department regarding the assignment of street trees.

7. LES will require utility easements to be shown on the plans.

CONDITIONS:

Site Specific:

1. Complete the following instructions and submit revised documents and plans along with 6 copies to the Planning Department office. Once approved, the preliminary plat will be signed by the Chair of the Planning Commission certifying approval. These documents and plans are required by ordinance or design standards.
 - 1.1 Revise the preliminary plat as follows:
 - 1.1.1 ~~Show a paved public access easement providing access to the adjoining parcels to the east and west. Add a note indicating the location of the public access easement shall be shown on and may be changed with a final plat. (**Per Planning Commission, at the request of the applicant, 6/22/05**)~~
 - 1.1.2 Complete revisions and provide documentation as requested in Analysis paragraph 6, to the satisfaction of the Public Works and Parks and Recreation Departments, except #6.3 and #6.4. (**Per Planning Commission, at the request of the applicant, 6/22/05**)
 - 1.1.3 Add as note indicating street trees will be shown with final plats.
 - 1.1.4 Show required LES easements.
 - 1.1.5 List all waivers that are granted.
 - 1.1.6 Show sanitary sewer constructed at minimum grade and less than 15 feet below grade, unless the waiver request is approved by City Council.

General:

2. Final Plats will be approved by the Planning Director after:
 - 2.1 You have completed or posted a surety to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions

control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.

- 2.2 The easternmost existing driveway return is removed and replaced with curb, gutter, and sidewalk, or a bond is posted to guarantee the completion of such work.

Prepared by:

Greg Czaplewski
441-7620, gczaplewski@lincoln.ne.gov

Date: June 10, 2005

**Applicant
and
Owner:** Lincoln North Creek, LLC
3801 Union Drive, Suite 102
Lincoln, NE 68516
402.434.5650

Contact: Brandon Garrett
Engineering Design Consultants
2200 Fletcher Avenue, Suite 102
Lincoln, NE 68504
402.434.5650

**PRELIMINARY PLAT NO. 05009,
WEST HOBELMAN ADDITION,**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 8, 2005

Members present: Larson, Taylor, Pearson, Sunderman, Carroll, Krieser and Carlson; Bills-Strand and Esseks absent.

Staff recommendation: Conditional approval.

Ex Parte Communications: None.

Greg Czaplewski of Planning staff submitted a request from the applicant for a two-week delay to request an additional waiver.

Taylor moved to defer two weeks, with continued public hearing and action scheduled for June 22, 2005, seconded by Carroll and carried 7-0: Larson, Taylor, Pearson, Sunderman, Carroll, Krieser and Carlson voting 'yes'; Bills-Strand and Esseks absent.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

June 22, 2005

Members present: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Pearson, Esseks and Bills-Strand.

Staff recommendation: Conditional approval, including approval of the waiver requests, except to allow sanitary sewer depth greater than 15 feet.

Ex Parte Communications: None.

Proponents

1. Brandon Garrett of Engineering Design Consultants, appeared on behalf of **Lincoln North Creek, LLC**. West Hobelman Addition is approximately 9.79 acres and includes six commercial lots and two industrial lots serviced by private roadway. It is located at the proposed SW 14th Place and West O Street, just south of the West O Street Sun Mart. This plat helps realize the goal of infill development and enhances economical development opportunity by providing access and services to new tracts to small and medium employers.

The requested waivers recognize existing conditions and feasibility of future development. Garrett withdrew the request to waive the sanitary sewer depth. After meeting with staff, it was determined that the sewer can be designed such that the waiver is not necessary.

The waiver for on-site detention is recommended for conditional approval and the developer has obtained verbal agreement with the adjoining property owner to west that would allow for a

conservation easement over their wetland area that would serve as stormwater detention for this addition. However, if the developer is unable to obtain this agreement, the detention would be provided on the site.

Garrett requested that Condition #1.1.1 and comments #6.3 and #6.4 of Condition #1.1.2 be eliminated due to the existence of natural and manmade features. These conditions require a paved public access easement to the adjoining parcels to the east and west.

Pearson inquired as to what natural features will prevent the development from providing the public access easements. Bob Lewis of Lincoln North Creek, LLC, referred to the subdivision ordinance provision that if there are topographical features that do not allow for continuance or projection of streets to adjacent properties, the city can exempt that condition. The property to the west is approximately 5 acres. The buildable area on that lot is about one acre along "O" Street. The rest of it is saline wetlands. The owner of that property is currently in the process of subdividing that lot into a nonbuildable outlot on the back 3.5 acres, with a single lot along "O" Street. Lewis does not believe a road connection within 200' of "O" Street is warranted. The property to the east is owned by Lincoln North Creek, LLC. They currently have a tenant on the site. Those are more manmade features and there is a depth issue and all of the lots today have access to "O" Street. There is no traffic coming from the south, nor do they expect that any traffic will ever exist. There is a building and parking lot with a tenant who has rented the property for five years with the notion that there will not be an access across his property.

There was no testimony in opposition.

Greg Czapslewski of Planning staff suggested that there is not a barrier significant enough to prohibit them from providing access to the properties to the east and west. An easement rather than a street would be acceptable and the staff is asking that they show that easement now. There are certainly no barriers to the east to provide access. There are wetlands on the south part to the west but there is a fair amount of developable land that would benefit from access to this property. They could show public access paved easements both to the east and to the west. The location can be changed when it comes to final platting of the property.

Pearson asked staff to comment about the verbal agreement for off-site detention. Chad Blahak of Public Works believes the agreement was that Public Works would approve the waiver of on-site detention if they could provide the written agreement from the property to the west prior to City Council approval. If they could not get that agreement, then Public Works does not support the waiver of detention. They are agreeable to provide on-site detention if they do not reach that agreement for off-site detention.

Pearson does not understand how someone builds in the 100 year floodplain. Blahak advised that the front portion of the lot is not in the floodplain. A flood map revision with FEMA is currently in process, so the property has already been filled through an approved fill permit. They are out of the floodplain now that they have filled the land.

Response by the Applicant

Lewis advised that the property was purchased three to four years ago and was filled many years before that. The FEMA map was never revised to show this property out of the 100 year floodplain.

As far as detention, there is a condition that if they cannot get a written agreement, they will show detention on the property. They are not asking for a waiver of detention.

Lewis strongly disagrees that there is no barrier to provide connections to the east and west. There is 200' of lot depth to the west that is usable. The property abuts "O" Street. For this developer to be burdened with showing some sort of access point into some sort of saline wetlands that is going to be a nonbuildable outlot does not make sense. It is not natural barriers to the east, but there is an existing structure with a parking lot, so he does not believe that that connection would be justified. If you look up and down West "O" Street today between Sun Valley Boulevard and the Hwy 77 overpass, there are 51 driveways that come out onto "O" Street on both the south and north side. This does not request something above and beyond what already exists today. At some point in time when there is a median put in West "O" Street, the burden will be on this developer. Lewis believes they do meet the criteria for the exemption.

ACTION BY PLANNING COMMISSION:

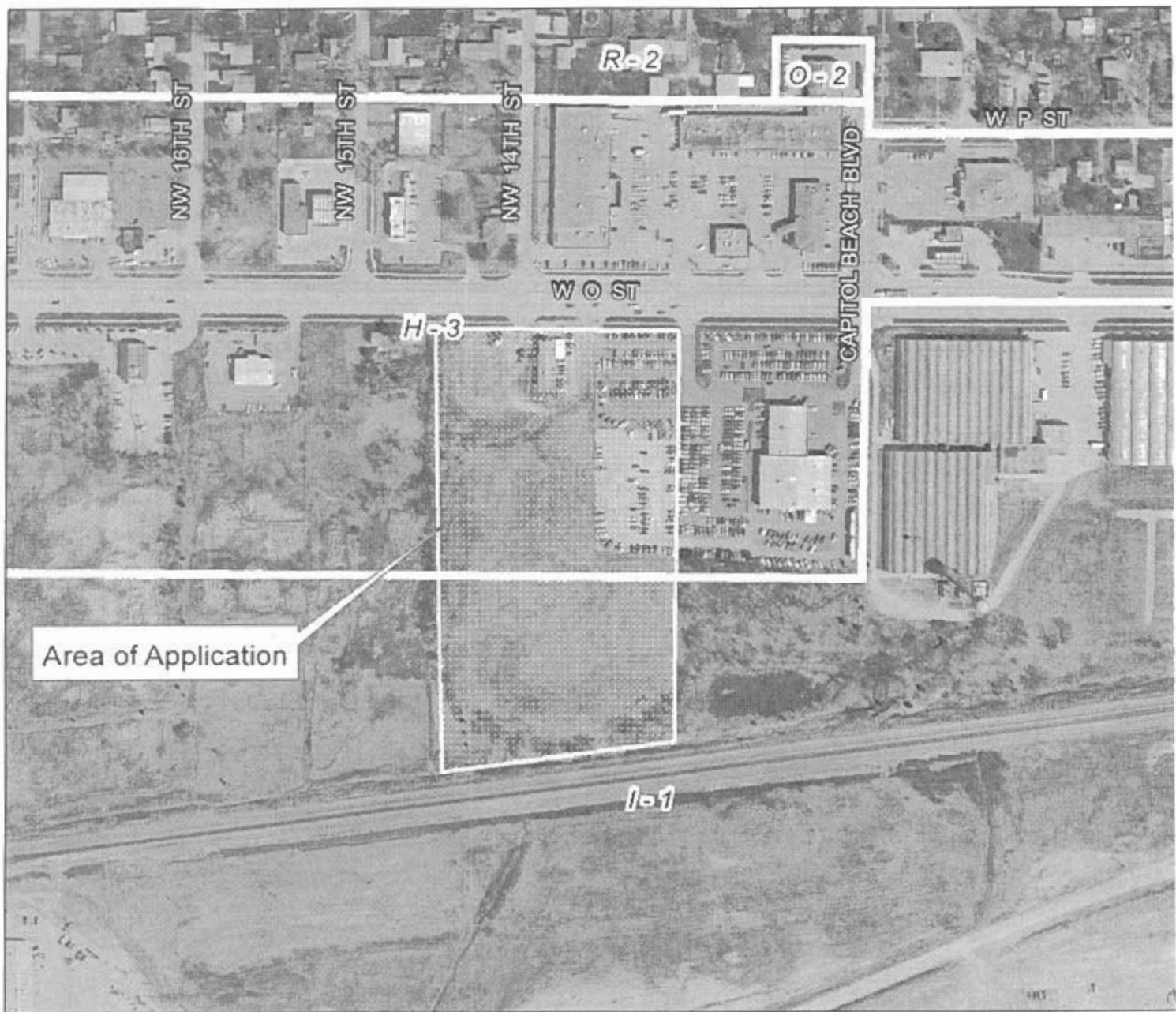
June 22, 2005

Carroll moved to approve the staff recommendation of conditional approval, seconded by Taylor. Bills-Strand stated that she is opposed to requiring the easements. She moved to amend to eliminate the easements, seconded by Esseks.

Pearson commented that in the future they can develop the property to the west and the property to the east is already developed.

Motion to amend carried 8-1: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Esseks and Bills-Strand voting 'yes'; Pearson voting 'no'.

Main motion for conditional approval, as amended, carried 8-1: Sunderman, Carlson, Larson, Carroll, Krieser, Taylor, Esseks and Bills-Strand voting 'yes'; Pearson voting 'no'. This is a recommendation to the City Council.



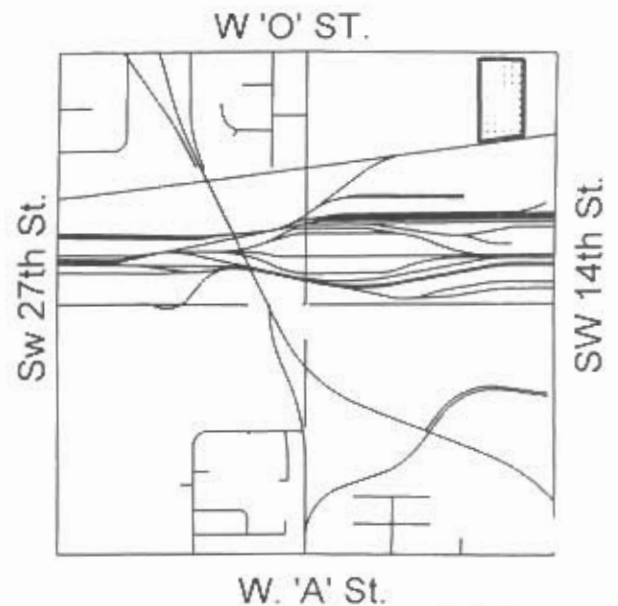
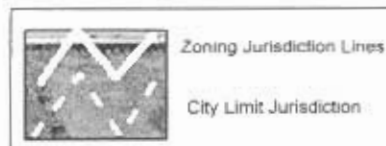
2002 aerial

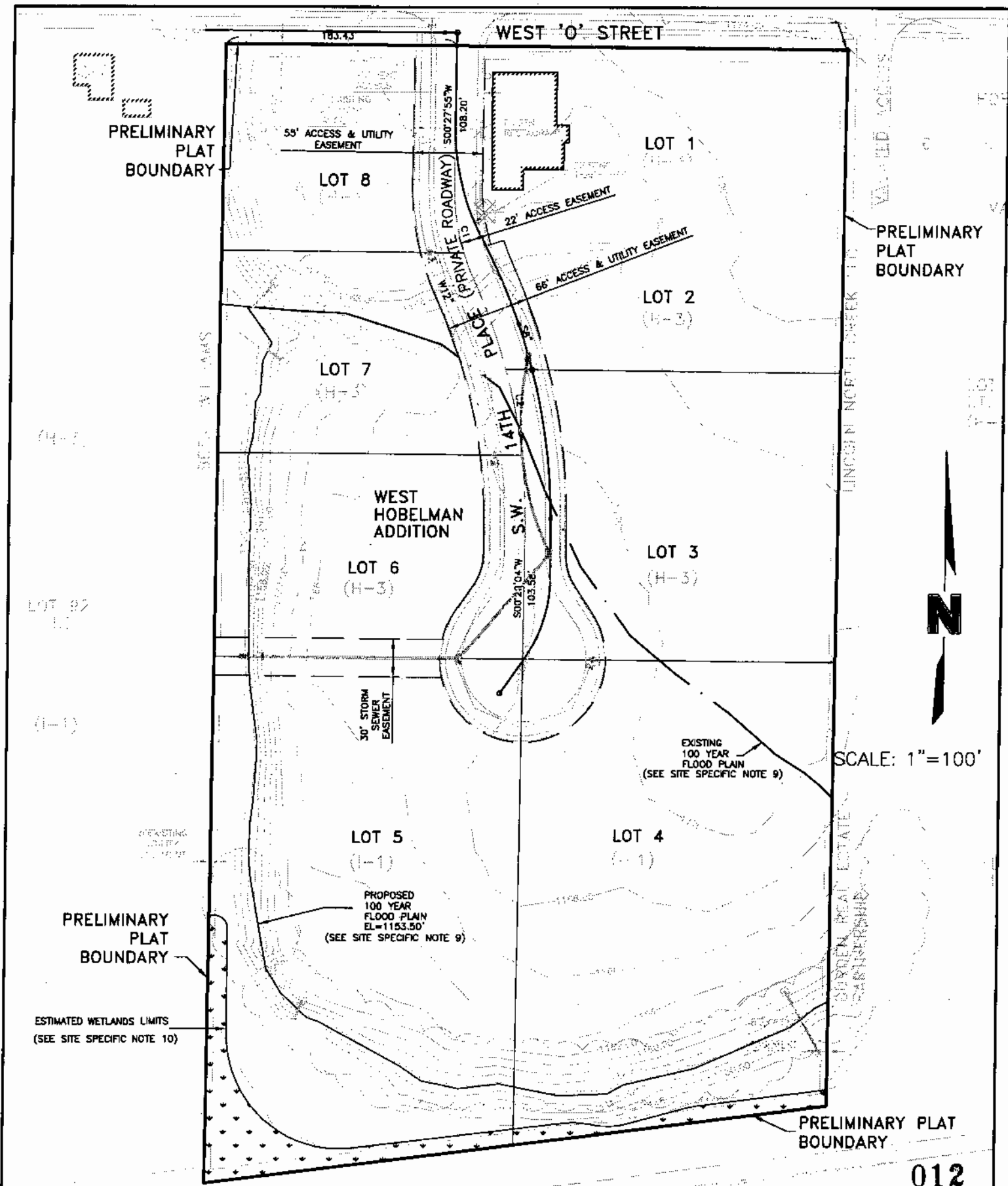
Preliminary Plat #05009 **West Hobelman Add.** **SW 14th & W 'O' St.**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-6 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec.28 T10N R6E





5000 Parker Ave. Suite 100 Lincoln NE 68511
402-438-2014 • Fax 402-438-4029

WEST HOBELMAN ADDITION **PRELIMINARY PLAT** **LINCOLN, NEBRASKA**

Drawn By: DAB
Dwg.: SITE DWG
Date: 05/5/2005
Job#: 04-029-25

SHEET
1 OF 1

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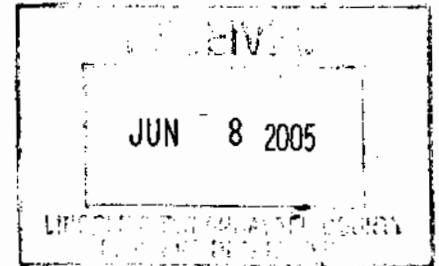
Engineering Design Consultants

2200 Fletcher Ave.
Suite 102
Lincoln, NE 68521
Ph 402-438-4014
Fx 402-438-4026

June 7, 2005

Greg Czaplewski
Planning Department
City-County Building
555 South 10th Street
Lincoln, NE 68508

RE: West Hobelman Addition
Preliminary Plat
Request to delay application for 2 weeks
EDC Job #04-029-25



Dear Mr. Czaplewski,

On behalf of Engineering Design Consultants client, North Creek L.L.C., we hereby request that the above referenced application that is scheduled to be heard at Planning Commission on June 8, 2005 be delayed for two weeks and rescheduled to be heard on June 22, 2005.

The following waivers are being requested to the City of Lincoln Design Standards:

- 1) A waiver is requested to Title 2, Chapter 2.00, Section 3.4 and Chapter 2.10, Section 3.3 to allow for the sewer to run along the east and water on the west side of SW 14th Place. This configuration is necessary due to the proximity of the existing structure. We propose the water main be placed on the west side as it is preferable to have the sewer under paving rather than water.
- 2) A waiver is requested to Title 1, Chapter 2.15, Section 2.3 to waive the provision for future street extensions to adjacent properties. The following language is proposed to be added to the plat to provide access. "Vehicular access shall be provided and maintained between this subdivision and the properties to the east (Hobelmans Subdivision & Lot 41 Irregular Tract) via public access easements. Location of said easements shall be determined based on site layout at time of building permit."

Additionally, the developer has no current plans to provide vehicular or public access to the property to the west. Wetlands currently exist over most of that property. There is consideration on this property for a future conservation easement, which would not require public access.

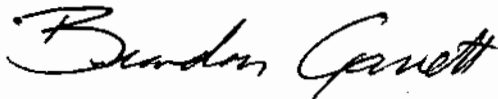
The developer has an agreement with the adjacent property owner to the west to provide detention capacity on existing wetlands. Evidence of such agreement shall be provided. The on site drainage for the West Hobelman Addition will be routed to the existing wetlands as the amount of storm water runoff is not significant enough to adversely affect the area.

West Hobelman Addition
Preliminary Plat
Request to delay application for 2 weeks
EDC Job #04-029-25
June 7, 2005
Page 2

If you have any additional questions or concerns please contact me at 438-4014 or at bgarrett@edc-civil.com.

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.

A handwritten signature in cursive script that reads "Brandon Garrett".

Brandon Garrett
Land Planner

c: Bob Lewis



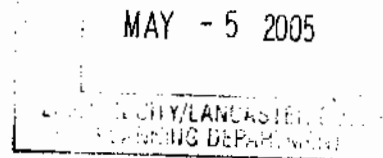
Engineering Design Consultants

May 5, 2005

2200 Fletcher Ave.
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Greg Czaplewski
Planning Department
City-County Building
555 South 10th Street
Lincoln, NE 68508

RE: West Hobelman Addition
Preliminary Plat Submittal
EDC Job #04-029-25



Dear Mr. Czaplewski,

On behalf of Engineering Design Consultants client, Lincoln North Creek, LLC, the following application is hereby submitted per the subdivision review process:

1. Application for a Preliminary Plat.

The West Hobelman Addition is a 9.79 acre site generally located south of the intersection of West 'O' Street/U.S. Highway 6 and Northwest 14th Street. The development will consist of 6 commercial lots and 2 industrial lots to encourage infill development along West 'O' Street. The West Hobelman Addition Preliminary Plat includes the following:

1. The existing zoning is H-3 and I-1.
2. The Red Fox Steak House and Lounge is an existing use and is located on Lot 1 of the West Hobelman Addition.
3. The common lot line between Lot 1 and Lot 8 of the West Hobelman Addition Preliminary Plat is adjusted off of the centerline of the S.W. 14th Place private roadway. The location of the lot line enables the existing building of The Red Fox Steak House and Lounge to be in conformance with the 30 foot minimum front yard setback in accordance with the H-3 zoning district.
4. S.W. 14th Place is a private roadway.
5. Total Usage
 - a. Commercial Lots 6
 - b. Industrial Lots 2
 - c. Total Lots 8
6. Direct vehicular access to West 'O' Street/U.S. Highway 6 is relinquished except where shown.
7. A minimum building opening elevation shall be 1 foot above the proposed 100 year flood elevation.
8. Individual lot landscape plans shall be reviewed at the time of building permit.

9. A letter of map amendment (LOMA) application has been filed with the Federal Emergency Management Agency (FEMA) to change the limits of the 100 year flood.
10. Wetlands have been identified to exist on the site. The wetlands will be officially delineated between May 1, 2005 and October 1, 2005 due to the timing of the plat. The estimated limits of the wetlands may change due to the official delineation.
11. The following waivers are being requested to the City of Lincoln Design Standards:
 - a. A waiver is requested to Title 2, Chapter 2.00, Section 3.6 to allow sanitary sewer to run opposite of street grade for S.W. 14th Place and construction of sanitary sewer greater than 15 feet. The waiver would eliminate the need to cross the railroad to the south in order to connect to the trunk sewer.
 - b. A waiver is requested to Title 2, Chapter 2.05, Section 3.3 to waive an on-site detention facility. The developer has planned to purchase the adjacent property to the west, which includes an area of existing wetlands. The on site drainage for the West Hobelman Addition will be routed to the existing wetlands as the amount of storm water runoff is not significant enough to adversely affect the area.
12. The developer has interest in Lot 92 Irregular Tract located to the west of the West Hobelman Addition Preliminary Plat. The developer's interest is to purchase the property from Betsy Williams and develop the property in conformance with the Comprehensive Plan.
13. The developer owns Lot 41 Irregular Tract and Lots 1 through 6 of Hotelman's Subdivision located to the east of the West Hobelman Addition Preliminary Plat. The property is currently being used as an auto dealership at this time. The developer does not have plans to change the current use.

If you have any additional questions or concerns please contact me at 438-4014 or at bgarrett@edc-civil.com.

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.



Brandon M. Garrett
Land Planner

Enclosed:

8 Sets of Sheets 1-3
13 Copies of Sheet 2
8.5 x 11 Site Exhibit
8.5 x 11 Legal Description
Check in the amount of \$1,000

c: Bob Lewis



CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County
Planning Department
Marvin S. Krout, Director

Mary E. Bills-Strand, Chair
City-County Planning Commission

555 South 10th Street
Suite 213

Lincoln, Nebraska 68508
402-441-7491
fax: 402-441-6377

June 24, 2005

Engineering Design Consultants
Brandon Garrett
2200 Fletcher Avenue, Suite 102
Lincoln, NE 68504

Re: Preliminary Plat No. 05009
WEST HOBELMAN ADDITION

Dear Mr. Garrett:

At its regular meeting on Wednesday, **June 22, 2005**, the Lincoln-Lancaster County Planning Commission recommended approval to your preliminary plat, **West Hobelman Addition**, located in the general vicinity of **SW. 14th St. and West "O" St.**, subject to the following conditions:

Site Specific:

1. Complete the following instructions and submit revised documents and plans along with 6 copies to the Planning Department office. Once approved, the preliminary plat will be signed by the Chair of the Planning Commission certifying approval. These documents and plans are required by ordinance or design standards.

1.1 Revise the preliminary plat as follows:

1.1.1 ~~Show a paved public access easement providing access to the adjoining parcels to the east and west. Add a note indicating the location of the public access easement shall be shown on and may be changed with a final plat.~~ **(**Per Planning Commission, at the request of the applicant, 6/22/05**)**

1.1.2 Complete revisions and provide documentation as requested in Analysis paragraph 6, to the satisfaction of the Public Works and Parks and Recreation Departments, except #6.3 and #6.4. **(**Per Planning Commission, at the request of the applicant, 6/22/05**)**

1.1.3 Add as note indicating street trees will be shown with final plats.

1.1.4 Show required LES easements.

1.1.5 List all waivers that are granted.

- 1.1.6 Show sanitary sewer constructed at minimum grade and less than 15 feet below grade, unless the waiver request is approved by City Council.

General:

2. Final Plats will be approved by the Planning Director after:

- 2.1 You have completed or posted a surety to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.
- 2.2 The easternmost existing driveway return is removed and replaced with curb, gutter, and sidewalk, or a bond is posted to guarantee the completion of such work.

The findings of the Planning Commission will be submitted to the City Council for their review and action. You will be notified by letter if the Council does not concur with the conditions listed above. You have authority to proceed with the plans and specifications for the installation of the required improvements except street lighting and street name signs 11 days after the City Council's approval of the preliminary plat.

Before you begin to grade or disturb any land one acre or greater in area:

The Lower Platte South NRD must have approved a drainage and grading plan including stormwater management, erosion, and sediment control. Contact J. B. Dixon at 476-2729 or jb Dixon@lpsnrd.org for questions regarding the plans.

Before you begin to install the improvements:

A licensed surveyor or engineer must certify that the grading has been completed in conformance with the grading shown on the approved preliminary plat, drainage study, and final street grades. Address questions to Gary Lacy at 441-4957 or glacy@lincoln.ne.gov.
and

An executive order (E.O.) authorized by the Mayor is required before public streets, public water, public sanitary sewer, public storm drainage, and public ornamental street lighting can be installed or constructed. Contact Charles Baker at 441-7838 or cbaker@lincoln.ne.gov in the Public Works & Utilities Department regarding the E.O. process. A bond, escrow, or security agreement approved by the City Law Department guaranteeing the completion of improvements will be required prior to the Mayor approving the E.O. If an E.O. has not been approved for the specific minimum improvement or the other required improvements not requiring an E.O. have not been completed then a bond, escrow, or security agreement approved by the City Law Department guaranteeing the completion of improvements will be required.

If a final plat is submitted five (5) years or more after the effective date of the preliminary plat, the City may require that a new preliminary plat be submitted. A new preliminary plat may be required if the subdivision ordinance or the design standards have been amended.

You may appeal the action of the Planning Commission to the City Council by filing a notice of appeal with the City Clerk. The appeal is to be filed within 14 days following the action by the Planning Commission.

Submit an ownership certificate indicating the record owner or owners of the property included within the boundaries of the final plat when submitting a final plat.

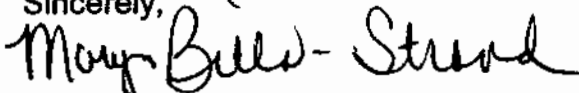
The Subdivision Ordinance requires that there be no liens of taxes against the land being final platted and that all special assessment installment payments be current. A form is available at the Planning Department and on the Planning Department website that must be signed by the County Treasurer verifying that there are no liens of taxes and verifying that the special assessment installment payments are current.

We are committed to working with you as we proceed through your development review. Before installing or constructing the improvements or should you have questions on:

public streets and utilities; contact Charles Baker at 441-7838 or cbaker@lincoln.ne.gov
street lights; contact Larry Kathol, L.E.S. at 467-7642 or lkathol@les.com
sidewalks; contact Harry Kroos at 441-8405 or hkroos@lincoln.ne.gov
street trees; contact Steve Nosal or Steve Schwab at 441-7035 or forestry@lincoln.ne.gov
street name signs; Marty Meyer at 441-6093 or mmeyer@lincoln.ne.gov

Should you have questions please contact Planner Greg Czaplewski, 441-7620, gczaplewski@lincoln.ne.gov

Sincerely,



Mary Bills-Strand, Chair
City-County Planning Commission

cc: Owner
Public Works - Dennis Bartels
LES
Alltel Communications Co.
Cablevision
Fire Department
Police Department
Health Department
Parks and Recreation
Urban Development
Lincoln Public Schools
County Engineers
File



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